

**ORIGINAL**

**FILED**

March 18 2010

**IN THE SUPREME COURT FOR THE STATE OF MONTANA**

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Supreme Court Nos. DA 09-0566<sup>556</sup> and DA 09-0605

STATE OF MONTANA

Plaintiff and Appellee,

v.

DONNIE MACK SELLERS,

Defendant and Appellant.

**FILED**

MAR 18 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

**NOTICE TO COURT AND ALL PARTIES**

The Clerk of the Montana Supreme Court recently forwarded to present counsel a motion filed by the Appellant in this matter entitled "Motion to Remove Attorney Colin M. Stephens for the Limited Purpose to Remove the OAD."<sup>1</sup>

The grounds for Mr. Sellers's request was his belief that Mr. Stephens had stolen documents belonging to Mr. Sellers. Mr. Sellers had provided said documents to Mr. Stephens for safe keeping.

As an officer of the Court, Mr. Stephens represents to the Court that all documents were returned to Mr. Sellers two days before he mailed his Motion for removal to this Court but delivery to Mr. Sellers appears to have been delayed. Mr. Sellers has since called, mailed, and relaid numerous messages to Mr. Stephens expressing his apologies for his suspicions and has confirmed he has

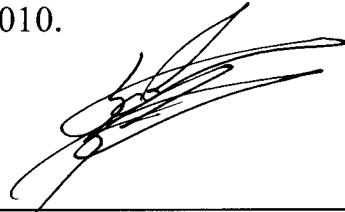
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<sup>1</sup>Counsel would note that he was not served a copy of this document by Mr. Sellers. This explains the delay in the filing of this Notice.

received all documents requested. He has also expressed that Mr. Stephens remain his limited counsel of record on the matter now pending before the Court.

Thus, Mr. Sellers's Motion to remove present counsel is moot.

Respectfully submitted this 17th day of March, 2010.

A handwritten signature in black ink, appearing to be 'Colin M. Stephens', written over a horizontal line.

Colin M. Stephens  
SMITH & STEPHENS, P.C.  
Representing Sellers

## CERTIFICATE OF SERVICE

I, Colin M. Stephens, do hereby certify that I sent or caused to have sent, a true and correct copy of this Notice to Court and All Parties to the following, via the means indicated:

Steve Bullock ..... U.S. Mail

Montana Attorney General

Mark Mattioli

Assistant Attorney General

215 N. Sanders

Helena, MT 69620-1401

George Corn ..... U.S. Mail

Ravalli County Attorney

205 Bedford

Hamilton, MT 59840

Donnie Mack Sellers ..... U.S. Mail

# 2155657

Crossroads Correctional Center

50 Crossroads Drive

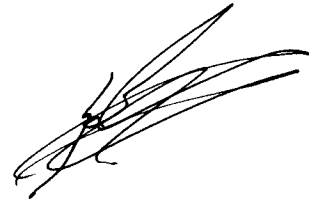
Shelby, MT 59474

Office of the Appellate Defender ..... Email/U.S. Mail

P.O. Box 200145

Helena, MT 59620-0145

Dated this 17<sup>th</sup> day of March, 2010.



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Colin M. Stephens  
SMITH & STEPHENS, P.C.  
Representing Sellers